

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 12249 of 2007(G)

PETITIONER:

VALSALA KUMARI,
W/O LATE SIDHARTHAN, MAYA BHAVAN, PAKIDIYIL,
KUTHIRACHIRA, PUNALLOOR, KOLLAM.

BY ADV. SRI.ALEXANDER GEORGE
SRI.DILIP MOHAN

RESPONDENTS:

1. THE CIVIL SUPPLIES CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRIVANDRUM.
2. THE DISTRICT SUPPLY OFFICER,
KOLLAM.
3. THE TALUK SUPPLY OFFICER,
KOTTARAKARA.
4. THE TAHSILDAR, KOTTARAKARA.
5. R.SUPRABHA,
CHINCHU BHAVAN, KATTAYIL MURIYIL,
ODANAVATTOM VILLAGE, KOTTARAKARA.

BY GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.12249 OF 2007

DATED THIS THE 10th DAY OF APRIL, 2007

JUDGMENT

This writ petition relates to a dispute between the petitioner and the 5th respondent. Both of them claim to be the legally wedded wife of late Sidharathan and aspires to obtain a heirship certificate from the 4th respondent so that they can produce the same before the 3rd respondent for claiming Authorised Retail Distributorship of rationed articles as a legal heir of late Sidharthan, who was the earlier distributor. Although they have applied to the 4th respondent, the petitioner seeks a direction to the 4th respondent to conduct an enquiry and decide as to, who is the legally wedded wife. I do not think that the 4th respondent can under law to decide as to who is the legally wedded wife of late Sidharathan. For that either the petitioner or the 5th respondent has to approach the Civil Court having jurisdiction to issue a declaration as to the marital status of the petitioner or the 5th respondent in relation to late Sidharthan. Therefore without prejudice to the right of the petitioner to seek remedies by filing a suit, this writ petition is dismissed.

S. SIRI JAGAN, JUDGE

Acd

